





City of Loma Linda Official Report

Floyd Petersen, Mayor pro tempore
Robert Christman, Councilmember
Stan Brauer, Councilmember
Robert Ziprick, Councilmember
Charles Umeda, Councilmember

COUNCIL AGENDA: May 10, 2005

TO: City Council

VIA: Dennis R. Halloway, City Manager 

FROM: T. Jarb Thaipejr, Public Works Director/City Engineer 

SUBJECT: Council Bill #R-2005-17 – Ordering the Formation of
Underground Utility District No. 1 on Redlands Boulevard

RECOMMENDATION

It is recommended that the City Council adopt Council Bill #R-2005-17, ordering the formation of Underground Utility District No. 01, Redlands Boulevard.

BACKGROUND

The City desires to underground all existing overhead utility lines along Redlands Boulevard from the westerly City boundary to the easterly City boundary. The lines in recently developed sections have been placed underground as a condition of development.

The Southern California Edison (SCE) has indicated that the City must initiate and establish an underground utility district before Edison will begin the engineering design for that area. This district will help to prevent other utilities from constructing overhead lines in the future.

On August 24, 2004, the City established procedures for the creation of an underground utility district in Chapter 12.16 of the City's Municipal Code. The Code provides that after a public hearing the City Council may determine that the project meets the established criteria for an underground utility district, and adopt a resolution establishing the district.

Establishment of this district will encumber the City's current balance of Rule 20A funds as well as its entitlement through the year 2010.

ANALYSIS

The SCE transmission lines have been determined to be too costly to underground at this time. The utility distribution lines and services from Anderson Street to Mountain View Avenue are subject to this phase of the Underground Utility District (UUD).

ENVIRONMENTAL

None.

FINANCIAL IMPACT

The formation of the district will encumber the City's Rule 20A funds through fiscal year 2010/2011 funds.

Attachment

I:\Public Works Admin\Staff Reports\UUD Redlands Blvd.doc

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA APPROVING THE FINAL ENGINEER'S REPORT FOR LOMA LINDA UNDERGROUND UTILITY DISTRICT NO. 2004-01 REDLANDS BOULEVARD, AND CONFIRMING THE CONTRACTURAL ASSESSMENTS

WHEREAS, the City Council of the City of Loma Linda, California, as authorized by Loma Linda Municipal Code Section 12.16, previously adopted Resolution No. 2368 on January 11, 2005, initiating proceedings, declaring the City's intent to form Loma Linda Underground Utility District No. 2004-01, Redlands Boulevard (the "District"), and calling for a public hearing to be held on May 10, 2005, to ascertain whether the public necessity, health, safety, or welfare requires the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service (the "Utility Undergrounding") along Redlands Boulevard between the City's western City limit easterly to California Street as well as certain parcels adjacent to or along the approaches to Redlands Boulevard; and

WHEREAS, to be consistent with the City's Municipal Code Chapter 12.16, the District is hereby named Underground Utility District No. 2004-01, Redlands Boulevard (the "District"); and

WHEREAS, pursuant to the Resolution of Intention, the report containing plans and specifications, an estimate of costs, a diagram, and assessment (the "Engineer's Report") has been presented to, and considered by the City Council; and

WHEREAS, notice of such hearing has been given to all affected property owners as shown on the latest equalized assessment roll and utilities concerned in the manner and for the time required by law; and

WHEREAS, such hearing has been duly and regularly held, and all persons interested have been given an opportunity to be heard; and

WHEREAS, at the duly noticed public hearing held on May 10, 2005, the City Council did not receive protests from owners of any land proposed to be assessed.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA, STATE OF CALIFORNIA DOES HEREBY RESOLVE, DETERMINE, AND FIND AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The public interest, convenience and necessity require, and it is the intention of the City Council pursuant to the Improvement Act of 1911 Streets and Highways

Code, Division 7, Chapter 1, commencing with Section 5000 (the "Act), to order the Utility Undergrounding within the district, with boundaries as shown on the diagram included in the Engineer's Report.

Section 3. The City Council does hereby designate the described area "Underground Utility District No. 2004-01, Redlands Boulevard".

That portion of a strip of land 300 feet wide lying 150 feet on each side and parallel to the centerline of Redlands Boulevard, beginning at a point at the intersecting lines of Redlands Boulevard and the westerly City boundary, thence easterly along the centerline of Redlands Boulevard to a point at the intersecting lines of Redlands Boulevard and the easterly City boundary."

Section 4. Affected property owners must be ready to receive underground services within thirty (30) days of this resolution.

Section 5. The City Council has determined to proceed in forming an assessment district pursuant to the Act. The City Council has further determined, if necessary, to make contractual agreements available to property owners within the District as authorized by Section 5898.20 through 5898.32 of the Act to allow the undergrounding of their overhead utilities. Each property owner in the District will be asked to execute a contract with the City authorizing the Utility Undergrounding, the form of such contract to be contained in the Engineer's Report prepared pursuant to Section 6 hereof. Funding for the undergrounding of all overhead utilities and appurtenant facilities will be covered by the City's Rule 20A funds with all work performed by each individual utility, which services that particular structure or property.

Section 6. The public necessity, health, safety, and welfare require the removal of poles, overhead wires and associated structures, and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service in area to be benefited by the Utility Undergrounding within the District having exterior boundaries as shown on Exhibit "A", which map is on file in the office of the City Clerk. Reference is hereby made to that contained in the Engineer's Report for a full and complete description of the proposed district, and shall govern all details as to the extent of the boundaries of the District.

Section 7. That such undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities.

Section 8. The street or road right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic.

Section 9. The Engineer's Report, the contractual agreement, and the diagram are hereby confirmed and approved. The final Engineer's Report shall stand as the report for the purpose of all subsequent proceedings for the District and shall govern all detail thereof.

Section 10. The improvements shall be constructed in accordance with the Resolution of Intention and the Engineer's Report for the District.

Section 11. This Resolution shall be final as to all persons and the assessment is hereby levied upon the respective parcels of land within the District according to the final Engineer's Report.

Section 12. The Negative Declaration respecting the District is hereby approved and the City Clerk shall record the Notice of Determination in the office of the Los Angeles County recorder.

Section 13. Categorical Exemption. This City Council finds that this project is categorically exempt from the California Environmental Quality Act of 1970 pursuant to Section 15302, class 2 (d) of the State Guidelines for Implementation of said Act.

Section 14. The City Clerk, within ten (10) days after the adoption of this resolution, shall mail a copy hereof and a copy of Chapter 13.342, Division 2 of the City Municipal Code to affected property owners as such are shown on the last equalized assessment roll and identified in the Engineer's Report and to the affected utilities.

Section 15. The City Clerk shall certify the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 10th day of May 2005 by the following vote:.

Mayor

ATTEST:

CITY OF LOMA LINDA

ENGINEER'S REPORT
UNDERGROUND UTILITY DISTRICT
No. 2004-01
(REDLAND BOULEVARD)

Prepared by
MuniFinancial

CITY OF LOMA LINDA

ENGINEER'S REPORT UNDERGROUND UTILITY DISTRICT NO. 2004-01 (Redlands Boulevard)

Municipal Improvement Act of 1911
(Section 5000, Division 7, Chapter 1
of the California streets and Highways Code)

Intent Meeting: January 11, 2005
Public Hearing: May 10, 2005

Prepared by
MuniFinancial

ENGINEER'S REPORT AFFIDAVIT

City of Loma Linda
ENGINEER'S REPORT
UNDERGROUND UTILITY DISTRICT NO. 2004-01
(Redlands Boulevard)

City of Loma Linda
County of San Bernardino, State of California

This Report describes the District including the improvements, budgets, parcels and assessments, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the San Bernardino County Assessor's maps for a detailed description of the lines and dimensions of parcels within the District. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____ 2005.

MuniFinancial
Assessment Engineer
On behalf of the City of Loma Linda

By: _____
Bryan Miller, Project Manager

By: _____
Richard Kopecky, Engineer of Work
R.C.E. # 16742

Prepared by
MuniFinancial

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ENGINEER'S REPORT
FOR CITY OF LOMA LINDA

UNDERGROUND UTILITY DISTRICT NO. 2004-01

I. INTRODUCTION

WHEREAS, on the 10th day of May, 2005 the City Council of the City of Loma Linda (the "City") did, pursuant to the provisions of the Municipal Improvement Act of 1911, commencing with Section 5000, Division 7, Chapter 1 of the Streets and Highways Code of the State of California (the "Act"), and pursuant to Loma Linda Municipal Code Chapter 12.16, adopt its Council Bill No. _____ for the financing and construction of certain public improvements, together with appurtenances and appurtenant work in connection therewith, in a special assessment district known and designated as

**LOMA LINDA
UNDERGROUND UTILITY DISTRICT NO. 2004-01
REDLANDS BOULEVARD**

(hereinafter referred to as the "District"); and

To execute contracts between the City and each property owner in the District authorizing the utility undergrounding and concerning the contractual assessments (hereinafter referred to as "Assessments").

WHEREAS, Council Bill No. ____, as required by law, did direct the appointed Engineer of Work to make and file a Report, consisting of the following:

- Plans and specifications;
- General description of boundaries of work, appliances, rights-of-way, and other property interests, if any, to be acquired;
- Cost Estimate;
- Assessment Diagram (hereinafter referred to as the "Diagram") showing the District and the subdivisions of land contained therein; and
- A proposed assessment of the costs and expenses of the improvements (hereinafter referred to as the "Works of Improvement") levied upon the parcels and lots of land within the boundaries of the District.
- A draft Agreement With Property Owners (hereinafter referred to as the "Contract") specifying the terms and conditions that would be agreed to by a property owner within the contractual assessment area and the City.

- (i) Identification of a City official authorized to enter into contractual assessments on behalf of the City.
- (ii) A maximum aggregate dollar amount of contractual assessments.
- (iii) A method for setting requests from property owners for financing through contractual assessments in priority order in the event that requests appear likely to exceed the authorization amount.
- A plan for raising a capital amount required to pay for work performed pursuant to contractual assessments.

For particulars, reference is made to Council Bill No. ____ as previously adopted.

NOW, THEREFORE, I, Richard Kopecky, authorized representative of MuniFinancial, a Member of the Willdan Group of Companies, pursuant to the provisions of the Act, do herein submit the following:

II. DESCRIPTION OF SERVICES

- Improvements to be provided within the District are generally described as follows:
Conversion of all existing overhead electrical distribution lines and utility services to underground service along Redlands Boulevard from the intersection of Redlands Boulevard and Anderson Street easterly to the intersection of Redlands Boulevard and Mountain View Avenue including all overhead services within the rights-of-way and all private businesses and residences directly connected to these services.
- A Diagram, attached as Exhibit "A", showing the District, as well as the lines and dimensions of each parcel of land within the District as they existed at the time of the passage of Council Bill No. _____. Each parcel of land has been given a separate number on the Diagram and the Assessment Roll.
- A legal description included herein as Exhibit "B".
- A listing of the parcels of land and their Assessor Parcel Numbers as shown on the Diagram which correspond with the Assessor Parcel Numbers appearing on the Assessment Roll, attached as Exhibit "C".
- A copy of the Contract (Agreement with Property Owners) included herein as Exhibit "D".
- The current total true value of land and improvements on the parcels listed in Exhibit "C" based on 2004 San Bernardino County Assessor Information is \$3,437,059.
- The parcels and assessments included herein do not include any prior unpaid special assessments.
- A statement of City policies regarding the Contract is included in the method of assessment.

I, pursuant to the provisions of the law and Council Bill No. _____, have assessed the costs and expenses of the works of improvement as constructed in place in the District upon the parcels of

land in the District benefited thereby in direct proportion and relation to the estimated benefits to be received by each of said parcels. For particulars of identification of the parcels, reference is made to the Diagram.

By virtue of authority contained in the Act, and by further direction and order of the City Council, I hereby make the following assessment to cover the costs and expenses of the Works of Improvement for the District based on the costs and expenses as set forth herein.

SUMMARY COST ESTIMATE

Item Description	Preliminary Amount	Confirmed Amount
Cost of Construction	\$ 1,300,000.00	\$1,300,000.00
Incidental Costs	<u>\$ 130,000.00</u>	<u>\$ 130,000.00</u>
Subtotal	\$ 1,430,000.00	\$1,430,000.00
City Contribution (100%)	\$ 1,430,000.00	\$1,430,000.00
Amount of Assessment	\$ 0.00	\$0.00

For particulars of the individual assessments and their descriptions, reference is made to the Assessment Roll (see Exhibit "C").

All costs and expenses of the Works of Improvement have been assessed to all parcels of land within the District in a manner, which is more clearly defined in the Method of Assessment.

ENGINEER'S REPORT
FOR
CITY OF LOMA LINDA
UNDERGROUND UTILITY DISTRICT NO. 2004-01
REDLANDS BOULEVARD

PRELIMINARY APPROVAL

Preliminary approval by the City Council of the City of Loma Linda on the _____ day of _____ 2005.

Pamela Byrnes-O'Camb,
City Clerk
City of Loma Linda

FINAL APPROVAL

Final approval by the City Council of the City of Loma Linda on the _____ day of _____ 2005.

Pamela Byrnes-O'Camb,
City Clerk
City of Loma Linda

CERTIFICATIONS

I, Pamela Byrnes-O'Camb,, as City Clerk, do hereby certify that the foregoing assessment, together with the Diagram attached hereto, was filed in my office on the 10TH day of May 2005.

By:

Pamela Byrnes-O'Camb,
City Clerk
City of Loma Linda
State of California

I, Pamela Byrnes-O'Camb,, as City Clerk, do hereby certify that the foregoing assessment, together with the Diagram attached hereto, was approved and confirmed in my office on the 10TH day of May 2005.

By:

Pamela Byrnes-O'Camb,
City Clerk
City of Loma Linda
State of California

I, T. Jarb Thaipejr, Public Works Director of said City, acting as Superintendent of Streets of said City, do hereby certify that the foregoing assessment, together with the Diagram attached hereto, was recorded in my office on the 10TH day of May 2005.

By:

Superintendent of Streets
City of Loma Linda
State of California

III. PLANS AND SPECIFICATIONS

The plans and specifications for the improvements for this District are voluminous and are not bound in this Report but by this reference are incorporated as if attached to and made a part of this Report. The plans and specifications as prepared by Southern California Edison are on file in the office of the City Engineer where they are available for inspection.

IV. DESCRIPTION/BOUNDARIES OF WORK

Conversion of all existing overhead electrical distribution lines and utility services to underground service along Redlands Boulevard from the intersection of Redlands Boulevard and Anderson Street easterly to the intersection of Redlands Boulevard and Mountain View Avenue including all overhead services within the rights-of-way and all private businesses and residences directly connected to these services.

Furnish, install, complete in place and energize all electrical, and communication materials necessary to convert all existing on-site overhead services to underground services at the following locations along Redlands Boulevard from the intersection of Redlands Boulevard and Anderson Street easterly to the intersection of Redlands Boulevard and Mountain View Avenue.

<u>Address</u>	<u>Land use</u>	<u>Assessor Parcel Number</u>
25252 Redlands Boulevard	(Commercial)	28116209
25244 Redlands Boulevard	(Commercial)	28116210
24927 Redlands Boulevard	(Commercial)	28308202
25087 Redlands Boulevard	(Commercial)	28308231
25041 Redlands Boulevard	(Commercial)	28308237
25025 Redlands Boulevard	(Commercial)	28308240
25015 Redlands Boulevard	(Commercial)	28308241
24997 Redlands Boulevard	(Commercial)	28308242
24979 Redlands Boulevard	(Commercial)	28308243
24955 Redlands Boulevard	(Commercial)	28308244
24183 Redlands Boulevard	(Residential)	28311446
24189 Redlands Boulevard	(Residential)	28311447
25203 Redlands Boulevard	(Commercial)	28311448
25293 Redlands Boulevard	(Commercial)	28313411
25335 Redlands Boulevard	(Commercial)	28315127
25293 Redlands Boulevard	(Commercial)	28315160
25379 Redlands Boulevard	(Commercial)	28316121
25473 Redlands Boulevard	(Residential)	28316217
25435 Redlands Boulevard	(Commercial)	28316227

V. COST ESTIMATES

PUBLIC WORKS OF IMPROVEMENT

Conversion of all overhead utilities to underground service within the Redlands Boulevard rights-of-ways along Redlands Boulevard from the intersection of Redlands Boulevard and Anderson Street easterly to the intersection of Redlands Boulevard and Mountain View Avenue. The preliminary amount for this is \$1,430,000.00.

Furnish, install, complete in place and energize all electrical and communication materials necessary to convert all existing on-site overhead services to underground services as specified on the plans and specifications at the properties identified in the following table:

Address	Land Use	Assessor Parcel Number	Preliminary Amount	Confirmed Amount
25252 Redlands Boulevard	(Commercial)	28116209	\$ -	\$ -
25244 Redlands Boulevard	(Commercial)	28116210	-	-
24927 Redlands Boulevard	(Commercial)	28308202	-	-
25087 Redlands Boulevard	(Commercial)	28308231	-	-
25041 Redlands Boulevard	(Commercial)	28308237	-	-
25025 Redlands Boulevard	(Commercial)	28308240	-	-
25015 Redlands Boulevard	(Commercial)	28308241	-	-
24997 Redlands Boulevard	(Commercial)	28308242	-	-
24979 Redlands Boulevard	(Commercial)	28308243	-	-
24955 Redlands Boulevard	(Commercial)	28308244	-	-
24183 Redlands Boulevard	(Residential)	28311446	-	-
24189 Redlands Boulevard	(Residential)	28311447	-	-
25203 Redlands Boulevard	(Commercial)	28311448	-	-
25293 Redlands Boulevard	(Commercial)	28313411	-	-
25335 Redlands Boulevard	(Commercial)	28315127	-	-
25293 Redlands Boulevard	(Commercial)	28315160	-	-
25379 Redlands Boulevard	(Commercial)	28316121	-	-
25473 Redlands Boulevard	(Residential)	28316217	-	-
25435 Redlands Boulevard	(Commercial)	28316227	-	-
Total			\$ -	\$ -

All on-site conversion work is included within the total construction project budget. The amount to assess for each parcel is \$0.00

COST ESTIMATES
GENERAL/PROJECT INCIDENTAL EXPENSES

<u>Item Description</u>	<u>Preliminary Amount</u>	<u>Confirmed Amount</u>
Redlands Boulevard Conversion	\$ 1,300,000	
On-site conversion of existing overhead utilities to underground	\$	
Incidental Expenses	\$ 130,000	
TOTAL	\$ 1,430,000	

COST ESTIMATES
SUMMARY OF COSTS AND AMOUNT TO ASSESSMENT

<u>Item Description</u>	<u>Preliminary Amount</u>	<u>Confirmed Amount</u>
Subtotal Redlands Boulevard Conversion Expenses	\$ 1,430,000	
City Contribution (Rule 20A Funds)	\$ 1,430,000	
Maximum Contractual Assessments	\$ 0	

VI. ASSESSMENT DIAGRAM

The Assessment Diagram is shown in a reduced scale format as Exhibit "A".

VII. METHOD OF ASSESSMENT

The public necessity, health, safety, or welfare requires the undergrounding of utilities along Redlands Boulevard from the intersection of Redlands Boulevard and Anderson Street easterly to the intersection of Redlands Boulevard and Mountain View Avenue. In addition, all overhead utilities are being removed. In conjunction with this conversion, all existing overhead services to homes, businesses, or billboards that are affected will also be undergrounded.

The Municipal Improvement Act of 1911 provides that the costs and incidental expenses of a project be assessed in proportion to the estimated "benefit" received by each of the lots or parcels of land within the assessment district. The Act, however, does not provide a specific benefit formula; hence that determination is made by the assessment engineer for consideration by the legislative body. The formula used should be one that reflects benefit received by each parcel and results in the most equitable proration of the costs to each of the lots or parcels within the assessment district.

For contractual assessments, the plan provides for the apportionment of all or any portion of the costs incidental to financing, administration, and collection of the contractual assessment program among the consenting property owners and the City. Since the City in cooperation with the serving utilities is paying all of the costs of the project, the assessments to the property owners are zero (\$0.00).

Proposition 218, the Right to Vote on Taxes Act, which added Article XIII C and XIII D to the California Constitution provides procedures for the imposition of new or increased taxes, assessments, and property related fees or charges. Since this proposed District would be funded entirely by the affected utilities and the City, there will be no assessments, taxes, or property related fees or charges imposed on any properties within this District. The Right to Vote on Taxes Act is not applicable when no assessments, taxes, or property related fees or charges are imposed.

The underground improvements and subsequent assessments are further detailed in the "Agreement with Property Owner for Conversion of Overhead Facilities to Underground". See Exhibit "D" for a draft sample. This report and agreement, along with the following statement regarding City policies concerning contractual assessments further details the method of collection of the assessments.

The City Manager of the City of Loma Linda is hereby given as the City official authorized to enter into contractual assessments on behalf of the City.

The maximum aggregate dollar amount of the assessments will be zero dollars (\$0.00).

Any requests for additional conversion work cannot be made part of the assessment but may be negotiated separately between the contractor and the property owner.

The funds to convert the overhead utilities, above and beyond what is covered by Southern California Edison, will be advanced from the City of Loma Linda Community Development budget. There is no provision for a reserve fund. All fees for the financing, administration, and collection process are included in the original assessment and have been apportioned.

VIII. COUNCIL BILL NO. _____

Council Bill No. _____ as heard on the 10TH day of May 2005 is on the file with the City Clerk.

EXHIBIT "A" DIAGRAM

The Diagram is included herein in reduced form. For parcel details, reference is made to the Assessor Parcel Maps on file with the San Bernardino County Assessor.

PROPOSED BOUNDARY OF LOMA LINDA, UNDERGROUND UTILITY DISTRICT NO. 2004-1, REDLANDS BOULEVARD

FILED IN THE OFFICE OF THE CITY CLERK
OF THE CITY OF LOMA LINDA THIS _____ DAY OF _____ 20__

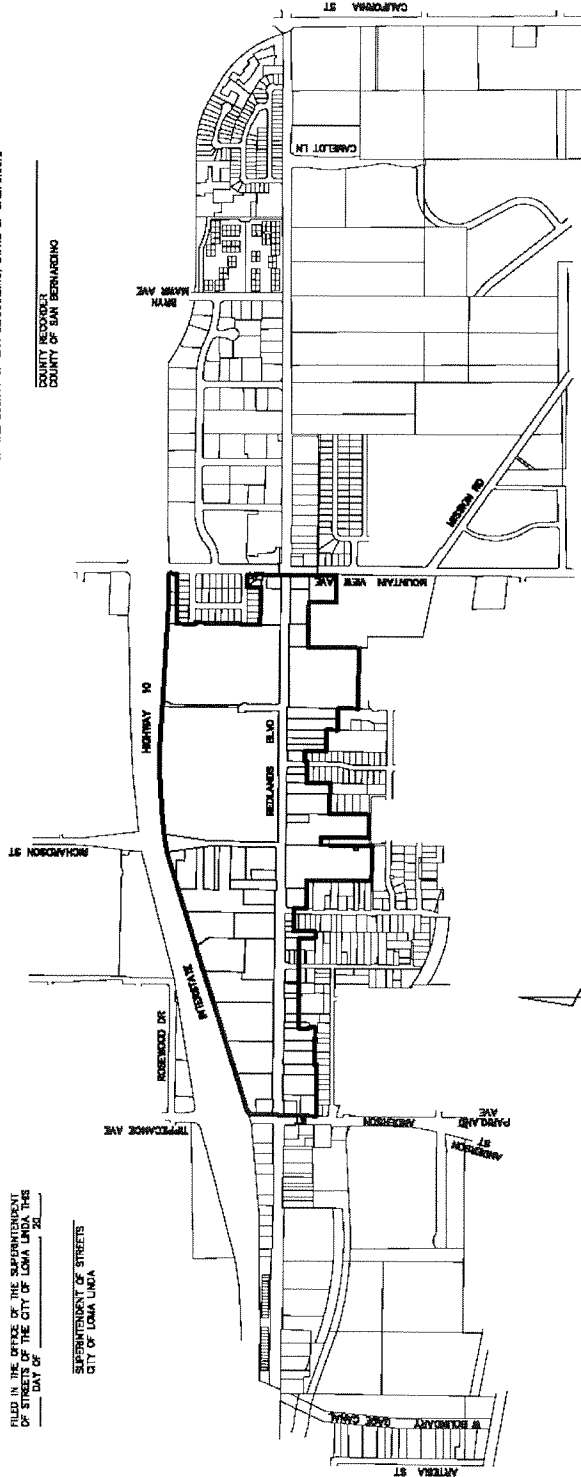
CITY CLERK
CITY OF LOMA LINDA

FILED IN THE OFFICE OF THE SUPERVISOR
OF STREETS OF THE CITY OF LOMA LINDA THIS _____ DAY OF _____ 20__

SUPERVISOR OF STREETS
CITY OF LOMA LINDA

FILED THIS _____ DAY OF _____ 20__
AT THE HOUR OF _____ M. BOOK _____
OF MAPS OF ASSESSMENTS AND COMMUNITY FACILITIES DISTRICTS
AT PAGE(S) _____ IN THE OFFICE OF THE COUNTY RECORDER
OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA.

COUNTY RECORDER
COUNTY OF SAN BERNARDINO



600' 300' 0' 600'
SCALE: 1" = 600'

LEGEND
PROPOSED BOUNDARY

I HEREBY CERTIFY THAT THE WITHIN MAPS SHOWING PROPOSED
BOUNDARIES OF UNDERGROUND UTILITY DISTRICT NO. 2004-1,
REDLANDS BOULEVARD, CITY OF LOMA LINDA, COUNTY OF
SAN BERNARDINO, STATE OF CALIFORNIA, WERE PREPARED BY
THURSDAY, _____ DAY OF _____
_____ BY ITS RESOLUTION NO. _____

CITY CLERK
CITY OF LOMA LINDA

MuniFinancial
STREET & BERNARDINO
LOMA LINDA, CALIFORNIA 92463
Phone: (951) 867-8800 Fax: (951) 867-8810

(06-001) JANUARY 2025

EXHIBIT “B” LEGAL DESCRIPTION

The legal descriptions of the District and individual parcels included herein are as shown in the records on file with the San Bernardino County Assessor's Office and the City of Lom a Linda.

EXHIBIT "C" ASSESSMENT ROLL

The Assessment Roll for the annexation is voluminous and is not bound in this report but by reference is incorporated and made a part of this report. The Assessment Roll is on file in the office of the City Clerk and the City Engineer, where it is available for public inspection.

Reference is made to the San Bernardino County Assessment Roll for a description of the lots or parcels in the annexation.

Address	Land Use	Assessor Parcel Number	Preliminary Amount	Confirmed Amount
25252 Redlands Boulevard	(Commercial)	28116209	\$ -	\$ -
25244 Redlands Boulevard	(Commercial)	28116210	-	-
24927 Redlands Boulevard	(Commercial)	28308202	-	-
25087 Redlands Boulevard	(Commercial)	28308231	-	-
25041 Redlands Boulevard	(Commercial)	28308237	-	-
25025 Redlands Boulevard	(Commercial)	28308240	-	-
25015 Redlands Boulevard	(Commercial)	28308241	-	-
24997 Redlands Boulevard	(Commercial)	28308242	-	-
24979 Redlands Boulevard	(Commercial)	28308243	-	-
24955 Redlands Boulevard	(Commercial)	28308244	-	-
24183 Redlands Boulevard	(Residential)	28311446	-	-
24189 Redlands Boulevard	(Residential)	28311447	-	-
25203 Redlands Boulevard	(Commercial)	28311448	-	-
25293 Redlands Boulevard	(Commercial)	28313411	-	-
25335 Redlands Boulevard	(Commercial)	28315127	-	-
25293 Redlands Boulevard	(Commercial)	28315160	-	-
25379 Redlands Boulevard	(Commercial)	28316121	-	-
25473 Redlands Boulevard	(Residential)	28316217	-	-
25435 Redlands Boulevard	(Commercial)	28316227	-	-
Total			\$ -	\$ -

EXHIBIT "D" CONTRACTURAL AGREEMENT

A sample of the contractual agreement is included herein:

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

City of Loma Linda
_____, City Attorney
25541 Barton Road
Loma Linda, California 92354

AGREEMENT WITH PROPERTY OWNER FOR CONVERSION OF OVERHEAD FACILITIES TO UNDERGROUND AND PERMISSION TO ENTER AND AUTHORIZATION TO PERFORM WORK

THIS AGREEMENT is made this ____ day of _____ by and between
_____ ("OWNER") and CITY OF LOMA LINDA, a general law city and municipal
corporation duly organized and existing under the laws of the State of California ("CITY").

WITNESSETH:

WHEREAS, CITY desires to convert overhead utility facilities to underground utility facilities within a certain area subject to its jurisdiction, more particularly described as a portion of Redlands Boulevard between the westerly city boundaries and California Street on the east (easterly City boundaries) and known as Underground Utility District No. 1 (the "District"), and as shown on the map of the DISTRICT in Exhibit "A" attached hereto and incorporated herein by reference.

WHEREAS, CITY will proceed to accomplish this conversion under the Improvement Act of 1911 (commencing with Section 5000, Division 7, Chapter 1, of the California Streets and Highways Code) (the "ACT").

WHEREAS, CITY has requested Southern California Edison (the "UTILITY") to convert the UTILITY's overhead facilities pursuant to the CITY's Municipal Code Chapter 12.16, a current copy of which is attached as Exhibit "B".

NOW, THEREFORE, the parties hereby agree as follows:

1. Proceedings. Prior to the commencement of any work:
 - a. The OWNER, currently served by the overhead facilities to be replaced in the DISTRICT, agrees to pay zero dollars (\$0.00) as his/her share of the costs of, and to provide and transfer ownership to UTILITY of, the underground supporting structure within involved public ways and other utility rights-of-way ("PROJECT"); and
 - b. the OWNER agrees to provide and maintain the underground supporting structure on his/her property and not within involved public ways and other utility rights-of-way; and
 - c. the CITY shall arrange for the concurrent removal of all other aerial distribution facilities in the DISTRICT; and
 - d. the CITY shall do all things under the ACT and other laws required to establish the validity of this Agreement and the CITY's authority and ability to perform it.
2. Right of Entry. Concurrently herewith, the OWNER has executed an agreement entitled "Permission to Enter and Authorization to Perform Work" by which the OWNER consents to entry by the CITY, the UTILITY and their employees, agents, and subcontractors for the purpose of completing the project. By such consent the OWNER agrees to take all steps necessary to prevent any delay or interference by any tenant or other persons with the project authorized by this Agreement.

3. Work to be Performed. The CITY shall install, or cause to be installed, the underground supporting structure necessary for the UTILITY's facilities being undergrounded. The CITY shall furnish and supply plans and specifications for each installation. The CITY shall give the UTILITY seventy-two (72) hours prior notice of the commencement of such installation work. However, there shall be no contractual relationship between the UTILITY and any of the CITY's contractors.
4. Notice of Completion. Transfer of Title. Installation of Cable. When the construction of the project is completed and that system has been accepted and confirmed by the CITY, the CITY shall give a written Notice of Completion of that structure, and shall file said Notice with the San Bernardino County Recorder. Thereupon, title to the underground supporting structure within involved public ways and other utility rights-of-way shall vest in the UTILITY, shall constitute a part of the UTILITY's electrical distribution and transmission system, and shall thereafter be used, operated and maintained by the UTILITY as part of its system. The UTILITY shall commence installation of the cable and will substantially complete such installation and removal of the overhead facilities within one hundred eighty (180) calendar days of the recording of that Notice, excluding delays caused by shortages of labor or materials, strikes, labor disturbances, wars, riots, weather conditions, government rule, regulation or order, or any other cause or condition beyond the UTILITY's reasonable control.
5. Abandonment. This Agreement is subject to the CITY's power to abandon the proceedings at any time prior to the effective date of this Agreement. Except for the furnishings of the plans, the UTILITY need not perform the project before the effective date of this Agreement. Should the proceedings be partially or wholly

abandoned at any time, the CITY shall reimburse the UTILITY for its costs of preparing plans and specifications for the abandoned installation.

6. Effective Date. The effective date shall be the date the work is lawfully ordered by the CITY under the ACT. This Agreement shall be null and void if the effective date does not occur prior to _____.

7. Modification by the Commission. This Agreement shall at all times be subject to such changes or modifications as the California Public Utilities Commission may direct in the exercise of its jurisdiction upon the written approval of the parties hereto.

8. Notices. Any notice hereunder shall be deemed to have been given if and when sent by registered or certified mail, return receipt requested, as follows:

a. To OWNER, addressed to:

b. To CITY OF LOMA LINDA, addressed to:

CITY OF LOMA LINDA
CITY CLERK
25541 BARTON ROAD
LOMA LINDA, CA 92354

PERMISSION TO ENTER AND AUTHORIZATION TO PERFORM WORK

I/we, the undersigned, as owners/tenants of the property located at _____ do hereby consent to allow the City of Loma Linda, Southern California Edison, SBC Communications Company, their employees and/or subcontractors to enter the premises for the purpose to do all or part of the following work:

1. Trenching for new underground conduit and cable.
2. Placement of new electrical service panels and appurtenant work.

3. New television and telephone connections.
4. Removal of existing overhead lines.
5. Filling and patching of trenches.

The aforementioned work will commence on or about _____, and will last for approximately 60 days. All work will be done between the hours of 7:30 a.m. to 3:30 p. m., Monday through Saturday.

The consent to allow work also implies that the tenant/owner will not do anything to prevent, delay, or otherwise interfere with any work or personnel authorized to do such work.

Date

Owner(s)

Owner(s)

Owner(s)

Owner(s)